

AMENDED IN ASSEMBLY APRIL 28, 2009

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

## ASSEMBLY BILL

**No. 881**

**Introduced by Assembly Member Huffman**

(Principal coauthor: Senator Wiggins)

**(Coauthor: Assembly Member Evans)**

February 26, 2009

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~~An act to add Chapter 7 (commencing with Section 180300) to Division 19 of the Public Utilities Code, relating to transportation. An act to add and repeal Division 19.1 (commencing with Section 181000) of the Public Utilities Code, relating to greenhouse gas emissions.~~

### LEGISLATIVE COUNSEL'S DIGEST

AB 881, as amended, Huffman. Sonoma County ~~Transportation Authority~~ *Climate Change Protection Agency*: greenhouse gas emissions.

The Local Transportation Authority and Improvement Act authorizes any county board of supervisors to create or designate a local transportation authority in the county for the purposes of imposing a retail transactions and use tax of up to 1%, by a  $\frac{2}{3}$  vote thereof, subject to voter approval, with revenues to be used for transportation improvements.

The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions levels in 1990 to be achieved by 2020, as specified.

This bill, *until December 1, 2015*, would authorize the Sonoma County Transportation Authority, created pursuant to the Local Transportation Authority and Improvement Act, to implement programs and projects to comply with statewide or federal greenhouse gas emission mandates, in cooperation with other local agencies that elect to participate. The bill would make legislative findings and declarations with respect to the exercise of that authority by the Sonoma County Transportation Authority *create the Sonoma County Climate Change Protection Agency. The bill would provide for the agency to be governed by the same board as that governing the Sonoma County Transportation Authority, which was created pursuant to the Local Transportation Authority and Improvement Act, if all members of that board concur and elect to serve. The bill would provide that the agency is a separate entity from the authority. The bill would authorize the agency, in cooperation with local entities that elect to participate, to perform coordination and implementation activities, within the boundaries of Sonoma County, to assist those entities in meeting their greenhouse gas emission reduction goals and develop, coordinate, and implement programs and policies to comply with the California Global Warming Solutions Act and other federal or state mandates and programs designed to respond to greenhouse gas emissions and climate change. The bill would authorize the agency to apply for, and to receive grants of, funds to carry out its functions, and would require those funds to be held in a separate account. The bill would prohibit funding from the Traffic Relief Act for Sonoma County (Measure M), approved by voters in 2004 to be used for these purposes..*

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Division 19.1 (commencing with Section 181000)
- 2     is added to the Public Utilities Code, to read:
- 3
- 4             DIVISION 19.1. SONOMA COUNTY CLIMATE CHANGE
- 5                     PROTECTION AGENCY
- 6
- 7     181000. The Sonoma County Climate Change Protection
- 8     Agency is hereby created. For the purposes of this division,

1 “agency” means the Sonoma County Climate Change Protection  
2 Agency.

3 181001. The agency is a public instrumentality and may be  
4 governed by the same board as that governing the Sonoma County  
5 Transportation Authority if all of the members of that board concur  
6 and elect to serve. The agency is, however, a separate entity from  
7 the Sonoma County Transportation Authority.

8 181002. The agency, in cooperation with local entities that  
9 elect to participate, may perform coordination and implementation  
10 activities, within the boundaries of Sonoma County, to assist those  
11 entities in meeting their greenhouse gas emission reduction goals  
12 as set forth in resolutions and adopted plans and develop,  
13 coordinate, and implement programs and policies to comply with  
14 Chapter 488 of the Statutes of 2006 and other federal or state  
15 mandates and programs designed to respond to greenhouse gas  
16 emissions and climate change.

17 181003. Activities authorized under Section 181002 shall  
18 include, but not be limited to, the following:

- 19 (a) Reduction of energy consumption.
- 20 (b) Coordination and implementation of energy efficiency projects.
- 21 (c) Increasing efficiency of water use.
- 22 (d) Utilizing carbon sequestration opportunities.
- 23 (e) Administration of grants to local entities.
- 24 (f) Alternative transportation options.
- 25 (g) Measuring and quantifying ongoing greenhouse gas  
26 reductions.

27 181004. The agency may apply for funds available to carry  
28 out its functions and may receive grants of funds to carry out its  
29 functions. All funds available to the agency shall be held in a  
30 separate account and accounted for independently. No funding  
31 from the Traffic Relief Act for Sonoma County (Measure M),  
32 approved by voters in 2004 shall be used for the purpose of this  
33 division.

34 181005. This division shall become inoperative on December  
35 1, 2015, and, as of January 1, 2016, is repealed, unless a later  
36 enacted statute, that becomes operative on or before January 1,  
37 2016, deletes or extends the dates on which it becomes inoperative  
38 and is repealed.

39 ~~SECTION 1. Chapter 7 (commencing with Section 180300)~~  
40 ~~is added to Division 19 of the Public Utilities Code, to read:~~

1     ~~CHAPTER 7. SONOMA COUNTY TRANSPORTATION AUTHORITY~~

2  
3     ~~180300. The Legislature finds and declares both of the~~  
4 ~~following:~~

5     ~~(a) In 2006, the Legislature passed and the Governor signed~~  
6 ~~Assembly Bill 32 (Chapter 488 of the Statutes of 2006) which~~  
7 ~~requires the State of California to reduce its greenhouse gas~~  
8 ~~emissions to 1990 levels no later than 2020. Reductions in~~  
9 ~~greenhouse gas emissions from the transportation sector will~~  
10 ~~significantly contribute to the state's climate change policy~~  
11 ~~objectives.~~

12     ~~(b) The authority granted pursuant to Section 180301 to the~~  
13 ~~Sonoma County Transportation Authority should be used to~~  
14 ~~perform coordination and implementation activities with other~~  
15 ~~local and community agencies in Sonoma County to assist those~~  
16 ~~agencies in meeting their greenhouse gas emission reduction goals~~  
17 ~~as set forth in resolutions and adopted plans. To the extent another~~  
18 ~~agency, entity, or organization in Sonoma County is authorized to~~  
19 ~~perform those functions, or a new entity is created in that regard,~~  
20 ~~the responsibility for those functions should be transferred to that~~  
21 ~~agency, entity, or organization.~~

22     ~~180301. In addition to any other powers and duties provided~~  
23 ~~by this division, the Sonoma County Transportation Authority,~~  
24 ~~which was created pursuant to this division, may, in cooperation~~  
25 ~~with other local agencies that elect to participate, develop,~~  
26 ~~coordinate, and implement programs and policies to comply with~~  
27 ~~Chapter 488 of the Statutes of 2006 and other federal or state~~  
28 ~~mandates and programs designed to respond to greenhouse gas~~  
29 ~~emissions and climate change.~~